

**To:** Allnutt, David[Allnutt.David@epa.gov]; Anderson, Kate[Anderson.Kate@epa.gov]; Anderson, Steve[Anderson.Steve@epa.gov]; Bahk, Benjamin[Bahk.Benjamin@epa.gov]; Berckes, Nicole[Berckes.Nicole@epa.gov]; Bernota, Carolyn[Bernota.Carolyn@epa.gov]; Bruce, Susan[Bruce.Susan@epa.gov]; Bufill, Lourdes[Bufill.Lourdes@epa.gov]; Cherry, Andrew[Cherry.Andrew@epa.gov]; Connolly, Chris[Connolly.Chris@epa.gov]; Cozad, David[Cozad.David@epa.gov]; Cross, Verna[Cross.Verna@epa.gov]; King, Carol[King.Carol@epa.gov]; Denton, Loren[Denton.Loren@epa.gov]; Dierker, Carl[Dierker.Carl@epa.gov]; Dolph, Becky[Dolph.Becky@epa.gov]; Drelich, David[Drelich.David@epa.gov]; Eichenwald, Carl[Eichenwald.Carl@epa.gov]; Faeth, Lisa[Faeth.Lisa@epa.gov]; Frey, Bert[frey.bertram@epa.gov]; Garvey, Mark[Garvey.Mark@epa.gov]; Greenwald, Kathryn[Greenwald.Kathryn@epa.gov]; Harrison, Ben[Harrison.Ben@epa.gov]; Hartman, Deborah[Hartman.Deborah@epa.gov]; Herrema, Jeffrey[Herrema.Jeffrey@epa.gov]; Hill, Elizabeth[Hill.Elizabeth@epa.gov]; Isales, Lydia[Isales.Lydia@epa.gov]; Joffe, Brian[Joffe.Brian@epa.gov]; Kairis, Mindy[Kairis.Mindy@epa.gov]; Kaplan, Robert[kaplan.robert@epa.gov]; Kausch, Jeannine[Kausch.Jeannine@epa.gov]; Kelley, Rosemarie[Kelley.Rosemarie@epa.gov]; Lott, Don[Lott.Don@epa.gov]; Mackey, Cyndy[Mackey.Cyndy@epa.gov]; Mallory, Brenda[Mallory.Brenda@epa.gov]; Matthews, Keith[Matthews.Keith@epa.gov]; Mclean, Kevin[Mclean.Kevin@epa.gov]; Meeks, Marguerite[Meeks.Marguerite@epa.gov]; Milan, Sherry[Milan.Sherry@epa.gov]; Morgan, Jeanette[Morgan.Jeanette@epa.gov]; Morrissey, Alan[Morrissey.Alan@epa.gov]; Mosley, Brenda[Mosley.Brenda@epa.gov]; Moyer, Robert[Moyer.Robert@epa.gov]; Mulkey, Marcia[Mulkey.Marcia@epa.gov]; Murray, Suzanne[Murray.Suzanne@epa.gov]; Nanda, Sushila[Nanda.Sushila@epa.gov]; Nguyen, Quoc[Nguyen.Quoc@epa.gov]; Phillips, Ginny[Phillips.Ginny@epa.gov]; Pollins, Mark[Pollins.Mark@epa.gov]; Porter, Amy[Porter.Amy@epa.gov]; Rog, Morgan[Rog.Morgan@epa.gov]; Rose, Cheryl[Rose.Cheryl@epa.gov]; Schaaf, Eric[Schaaf.Eric@epa.gov]; Seltzer, Mark[Seltzer.Mark@epa.gov]; Shah, Aakruti[Shah.Aakruti@epa.gov]; Silver, Meg[Silver.Meg@epa.gov]; Stern, Allyn[Stern.Alyn@epa.gov]; Sullivan, Greg[Sullivan.Greg@epa.gov]; Swan, Russell[Swan.Russell@epa.gov]; Tierney, Cate[Tierney.Cate@epa.gov]; Walker, Mike[Walker.Mike@epa.gov]; Ward, W. Robert[Ward.Robert@epa.gov]; Wilson, Kim[Wilson.Kim@epa.gov]; OGC PTSLO[OGC\_PTSLO@epa.gov]; Abramson, Jennifer[Abramson.Jennifer@epa.gov]; Kaul, Monisha[Kaul.Monisha@epa.gov]; Schramm, Daniel[Schramm.Daniel@epa.gov]  
**From:** Turley, Jennifer  
**Sent:** Fri 1/31/2014 3:04:24 PM  
**Subject:** Pesticides & Toxic Substances Law News for January 31, 2014



## Pesticides & Toxic Substances Law News for January 31, 2014

# Bloomberg BNA Daily Environment Report™

## *Right to Know*

### Environment Groups Say 199 Oil, Gas Sites Should Be Required to File TRI Reports

Nearly 200 oil and gas facilities in six states meet Toxics Release Inventory emissions reporting thresholds but aren't required to report their emissions, environmental groups said in a Jan. 30 letter to the Environmental Protection...

## *Risk Assessment*

### EPA Posts Questions on Ammonia, Trimethylbenzenes

The Environmental Protection Agency posted questions Jan. 30 about its draft toxicological reviews for ammonia and trimethylbenzenes for which it would like the Chemical Assessment Advisory Committee's advice. The two sets of questions,...

## *Toxic Substances*

### EPA Releases Alternatives Analyses for Thermal Paper, Flame Retardant Chemicals

The Environmental Protection Agency has released two alternatives assessments to help companies that want to choose chemicals to substitute for bisphenol A's use on thermal paper and decabromodiphenyl ether's (deca-BDE) use...

## *Toxic Substances*

### Little Known About Perfluorinated Chemical Substitutes Despite Key Role in Products

Little is known about the environmental fate and long-term possible health effects of the alternative chemicals manufacturers are using to substitute for persistent, bioaccumulative and toxic long-chain perfluorinated compounds, scientists...

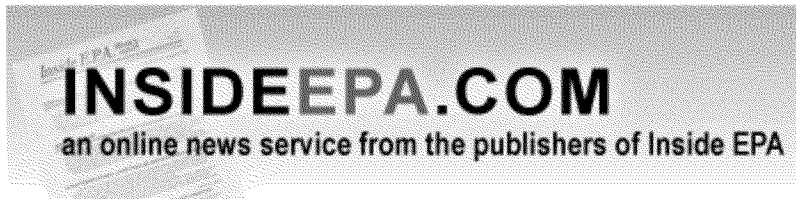
## *Toxic Substances*

### Toxicology Program Releases Rodent Diagnosis Guide

The National Toxicology Program released a new web-based guide Jan. 30 to help pathologists and scientists more consistently and uniformly diagnose tissue changes in experimental rodent models. The guide, Nonneoplastic Lesion Atlas,...

### Salmon Case Survives Pesticide Industry Challenge

The U.S. District Court for the Western District of Washington denied a motion to dismiss filed by pesticide industry groups in a lawsuit alleging the Environmental Protection Agency failed to comply with the Endangered Species Act to protect...



### Facing EPA Doubts On 'Wells,' Groups Renew Push For TRI Rule For Drillers

Environmentalists are renewing their push for EPA to require the oil and gas sector to report chemical releases to the Toxics Release Inventory (TRI), citing new data that large midstream facilities such as compressor, fractionation and processing plants meet the law's criteria even though EPA has doubts over whether TRI should apply to drilling "wells."

### Senators Launch New Effort To Clarify TSCA Bill's Preemption Provisions

Senate supporters of a bipartisan bill reforming the Toxic Substances Control Act (TSCA) are weighing several proposed amendments that they hope will eventually address concerns from Senate environment committee Chairman Barbara Boxer (D-CA) and other opponents who fear the current bill language will severely limit state toxics programs.

# Greenwire

EPA:

# Strapped agency prepares hundreds of buyouts in sweeping workforce overhaul

Emily Yehle, E&E reporter

Published: Thursday, January 30, 2014

*This story was updated at 5:30 p.m. EST.*

U.S. EPA is preparing buyouts for hundreds of employees in its regional offices, as part of an effort to pare its workforce in the face of budget constraints.

The buyouts and "early-outs" are scheduled to occur over the next few months, with each office submitting plans to the Office of Personnel Management for approval. Under the former, employees would get a lump sum of \$25,000 to leave; the latter allows certain employees to retire early and immediately receive annuity payments.

Overall, EPA officials hope to restructure the workforce, clearing out some higher-paid positions to make way for more entry-level employees who they say better fit the agency's needs. But not all employees would be replaced, leading to a smaller workforce.

*Inside EPA* first reported the buyouts in a story last night.

An EPA spokeswoman didn't immediately respond to a request for comment. But in a staffwide email obtained by *Greenwire*, Deputy Administrator Bob Perciasepe called buyouts a better alternative to months of hiring restrictions that have limited offices to hiring only one person for every two or three who left.

"This approach has been difficult to manage because of the unpredictable nature of attrition, and it has challenged our ability to acquire new talent, build diversity in our staff, develop new skills and provide all of the necessary tools to do the job of protecting human health and the environment," Perciasepe wrote in the December email. "We can and must make long-term changes to support you and the vital work you do for the American people."

Union officials disagree, arguing that getting rid of employees is the wrong place to cut. Instead, EPA should be looking at "pass-through money," or the large part of its budget that goes to grants, contracts and other outside costs, said John O'Grady, who is president of an EPA chapter of the American Federation of Government Employees.

In his view, institutional knowledge -- and environmental enforcement -- should be EPA's priority.

"This is scary," O'Grady said. "That means we're going to have fewer people to go out, to do inspections."

Regional offices and other divisions are collectively offering 19 buyout and early-out packages, he said. If OPM approves all packages by the end of this week, employees will get offers during the first two weeks of February. Those who accept the offers would have to leave by April 4, according to O'Grady.

The plan follows a year that saw EPA under increasing budget pressure, with sequestration forcing furloughs and on-again, off-again hiring freezes. Budget uncertainty has also prompted the agency to adopt a new approach to enforcement, with a draft five-year plan calling for fewer in-person inspections and better use of technology through "Next Generation Compliance" ([Greenwire](#), Dec. 9, 2013).

Indeed, the buyout [package](#) for Region 5 cites Next Generation Compliance as one of the focuses of its restructuring plan. By reducing the number of employees and "rebalancing" grade levels, the office hopes to recruit people with technical and legal skills needed to best use new technology to monitor industry and work with partner communities.

"Program priorities have evolved over time based, in part, on executive leadership direction, and specific knowledge of a particular sector, program or pollutant that supported the higher grade at one point may no longer exist, or exist in an amount insufficient to support a stand-alone, high graded position," officials wrote in the plan.

Officials plan to consolidate higher-graded duties and reduce the number of higher-paid nonsupervisory positions. The effort will target 701 positions, with offers made to as many as 146 employees.

Such positions include environmental protection specialists and environmental engineers at the GS-13 level or higher. Their "most complex work" will be reassigned to existing high-level employees, while the less complex work will go to lower positions that have a promotion ceiling to GS-12. Instead of a sole expert in a specific field, there will be several employees working on issues at different levels -- including lower-paid employees who focus on "multimedia approaches."

Without a buyout, the office has an attrition rate of only 4 percent. But if enough employees accept offers to leave, Region 5 officials may be able to reduce the number of full-time employees by almost 100 -- from 1,160 to 1,072 -- by fiscal 2015, according to the buyout package.

## TOXICS:

# Officials suspect mafia ties in southern Italy's massive waste dump

Published: Thursday, January 30, 2014

Italian authorities are continuing to investigate a field in southern Italy after two jailed mafia informants said it was a secret site where the Camorra organized crime organization had long buried toxic waste.

The site in the region of Campania, near Naples, is suspected to have earned billions of dollars for the mafia since the early 1990s and could contain as much as 10 million tons of toxic trash, according to one environmental group.

"We're living on top of a bomb," said Alfredo Mazza, a doctor who published a 2004 study in the British medical journal *The Lancet* showing a rise in cancer cases in the area.

Decades of deals between manufacturers, corrupt local officials and the mafia have plagued the region with improperly disposed waste.

"My sense is that there is an agreement between the political parties and the Camorra," said the Rev. Giannino Pasquale, whose parish is in a nearby town. "Just look around. Tires and asbestos are tossed on the sides of the roads. Why is it not possible to control this area?" (Jim Yardley, New York Times, Jan. 29). -- SP

## **WEST VIRGINIA:**

# **State Senate clears chemical storage regulation bill**

Published: Thursday, January 30, 2014

West Virginia's Senate passed a bill Tuesday without opposition that would create new regulations for aboveground chemical storage tanks.

The bill, introduced in response to a massive chemical leak on Jan. 9 that left hundreds of thousands of the state's residents without running water for as long as 10 days, could have "greatly reduced" the odds of the accident, said Sen. Corey Palumbo (D), who represents the state's Kanawha Valley, where the spill occurred.

The bill would require storage tank owners and operators to create spill-prevention and response plans, which would have to be approved by the state's Department of Environmental Protection.

Operators also would have to tell regulators what activities take place at chemical storage facilities and what substances are kept there. And the bill would require West Virginia to take an inventory of water sources throughout the state (Rachel Molenda, Charleston [W.Va.] Gazette, Jan. 28). -- SP

***Brought to you by the Office of General Counsel Law  
Library***

Jennifer Turley, Law Librarian

ASRC Primus Contractor

U.s. Environmental Protection Agency

Office of General Counsel

202/564-3971

[turley.jennifer@epa.gov](mailto:turley.jennifer@epa.gov)

***Tell us how we're doing - rate our customer service!***

<http://www.surveymonkey.com/s/epalibsurvey>